



REVISED: How DV Advocates Can Help Get People Covered
[October 2015]

The Affordable Care Act (ACA) makes high-quality affordable health insurance widely available, and people who have experience domestic or intimate partner violence (DV/IPV) will be able to get insurance that covers a strong set of medical and behavioral health benefits.

Domestic violence advocates are encouraged to help get victims enrolled in health insurance.

What can I do?

DV advocates play an important role in encouraging people to apply for health insurance coverage. Explain why health insurance is important and that it can help pay for needed medical and behavioral health services. All health plans covered in the Marketplace must cover a package of core preventive health services. This includes primary and emergency care, as well as behavioral and mental health services, substance use services and screening and brief counseling for DV/IPV.

Key Dates

Open Enrollment starts on November 1, 2015—and coverage can begin as early as January 1, 2016. The last day to enroll in new coverage is January 31, 2016. During Open Enrollment, anyone is able to shop for health insurance coverage for themselves and their family through their state's Health Insurance Marketplace. People who are already covered by a Marketplace plan will also be able to renew or change their plan. Significant financial help is available to make coverage more affordable for individuals and family who qualify—and there are special rules for married survivors to help them qualify without counting a spouse's income.

For some families and children, comprehensive coverage may be available through Medicaid or the Children's Health Insurance Program. Healthcare.gov can help make a referral for families who qualify. There is no Open Enrollment period for Medicaid and CHIP; it accepts applications year-round.

What do I do if someone wants to apply?

A great place to start is healthcare.gov. Healthcare.gov will ask what state you live in, and either starts the application or links you to your state's Insurance Marketplace.

Every state has a network of free in-person "assisters" who are trained to help people through the application process. There are special rules to help some victims of domestic

violence during the application process; these assisters will understand how to help navigate the enrollment process.

For a full list of assisters near you, go to localhelp.healthcare.gov. Look at the list, talk to local health centers or hospitals, or talk to other providers. Build a relationship with an assister to whom you can refer clients who may need help with the application process.

What do DV victims in particular need to know about getting financial help to buy a plan?

Most people who purchase coverage in the Insurance Marketplace will be offered a significant discount on the cost of buying health insurance. This financial help is available on a sliding scale to individuals and families who qualify. The amount of the discount varies based on a number of factors (e.g., income; family size; offer of other coverage). People apply for financial help after answering questions as part of the Marketplace application, and there are special rules for some survivors of domestic violence to get as much help as they can.

If you are married and your spouse can buy family insurance through their job, you as an individual are not eligible to get financial help to purchase insurance on the Marketplace. This is true even if the family coverage is expensive or if the spouse refuses to cover the victim.

If you are legally married but if you have separated from an abusive spouse, you may be eligible for financial help.

Some families may qualify for coverage through Medicaid based on their income, family size and the state they live in. Medicaid offers comprehensive medical and behavioral health services, including benefits that are so important for survivors. There is no Open Enrollment for Medicaid—enrollment is year-round.

What are the special enrollment rules for survivors?

Legally married victims of domestic violence who are not living with their spouse may apply for coverage on their own, and will be able to receive financial assistance based solely on their own income. To do this, they will need to check that they are “unmarried” on their healthcare.gov application. Then on their taxes the following year, they will need to explain that this was because of domestic violence but no documentation will be necessary to prove DV. The IRS and HHS have published guidance on this for victims of domestic violence.

Encourage clients to call the toll-free Call Center (1-800-318-2596) or refer them to local in-person help who are trained to help consumers through the enrollment process. A good place to start: <https://localhelp.healthcare.gov>. These trained assisters will be able to help file the application appropriately.

Who can qualify to purchase health insurance in the Marketplace?

Almost everyone can buy insurance in the Marketplace. Undocumented immigrants may not purchase coverage in the marketplace, but lawfully present immigrants (including those subject to the 5-year bar) may buy insurance on the Marketplace.

What happens when Open Enrollment ends?

After Open Enrollment ends, it is not possible to sign up for a new health insurance plan on the Marketplace. However, there are certain “life events” that can trigger a Special Enrollment Period. Survivors of Domestic Violence may purchase health insurance at any point during the year by starting a new application with the Call Center, stating that they are a survivor, and asking for a Special Enrollment Period.

Medicaid enrollment is year-round and anyone who may be eligible for coverage through Medicaid should submit an application.

Are there special rules for Members of Tribes?

Native Americans may enroll at any time not just during open enrollment. They may also change plans at any time during the year, up to once a month.

Members of Tribes are also eligible to apply for a waiver from the tax penalty for being uninsured. However, to access this waiver, individuals must file the necessary paperwork. The application can be found on [healthcare.gov](https://www.healthcare.gov) or on your state’s Insurance Marketplace website.

What happens to people who don’t buy insurance?

There is a penalty, assessed on your taxes, for not having health insurance.

Victims of DV can apply for a waiver from this penalty. It’s called a Hardship Exemption and requires no documentation to prove DV. This form can be filed at tax time.

The application can be found at [healthcare.gov](https://www.healthcare.gov) or on your state’s Insurance Marketplace website.